motions. They bring so many adjournment motions, because only on 9 Council days have they got the chance of bringing adjournment motions. At other times they have not got, and so, if you do not allow them, their right is rather curtailed.

A query regarding the deletion of certain remarks of Dr. A. R. Menon.

Dr. A. G. Menon.—You have promised us that matters which have not taken place in the Council will not be included in the official report. The remarks of Dr. A. R. Menon about the Kuriarkutti Hospital has found a place in the official report. I don't know whether you have come to any conclusion.

President.—Somehow or other it has been included in the Proceedings. Anyhow, if it is wrong, it will be rectified. Whatever is not stated in the Council should not find a place in the report. It is not proper.

Dr. A. G. Menon.—I request that an order may be issued to that effect. That is all what is needed.

The Cotton Industry (Statistics) Bill.

President.—Now, we will take up the Cotton Industry (Statistics) Bill.

Mr. K. Achyuta Menon.—Sir, I beg to move that the Cotton Industry (Statistics) Bill be taken up and passed.

Mr. T. K. Krishna Menon.—Sir, I second it.

The motion was put to the vote of the House and carried.

The Nambudiri Kudumba Bill.

President.—Now, we will take into consideration the Nambudiri Bill. We have passed clause 2 completely. We will take clause 3. Is there any amendment?

Mr. Chakko Cheruvattur.—May I be allowed to move an amendment, Sir?

President.—What is the amendment?

Mr. Chakko Cheruvattur.—I beg to move that clause (3) be made as clause 3 (1), and that as explanation to that section the following":

" Management includes the collection of the *pattam*, *michavaram* and renewal fees, interest due to the *Illam* on any debt and such other recurring income due to the *Illam*".

I also beg to move that the following may be added as clause 3 (2): —

" Any payment to the manager for the time being or his recognised agent of any sum mentioned in the explanation to clause 3 (1) above shall be as effectual as payment to the *Illam*."

President.—Is it necessary to make a statement that he has got the right of management, which right includes the receiving of all the income of the family and the granting of receipts for

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the same? He has got that right; the law allows him. All that he can do.

Mr. Chakko Cheruvattur.—In a subsequent section, it is stated that he shall not delegate his powers.

President.—That is a general right conferred by law. To receive a certain money on account of payment of *michavaram*; that is not a question of delegation. I have got the right to act through my Vakil in courts, and when dealing with the ordinary public, through my recognised agents. That is a general right conferred by law upon every person having the right to deal with properties.

Mr. Chakko Cheruvattur.—This is to protect the properties of the tenants. Such an emergency might have also arisen. If a tenant has got a receipt of payment for *michavaram* to the *Karanavan* or his recognised agent, that has to be held of value.

President.—If a dispute arises regarding the right of the *Karanavan*, the person who is liable to pay rent or money to the *Illam* must be served with notice. He must have knowledge of the dispute. The man must publish that he has got the right to manage the affairs of the *Illam*. You do not give amounts due to the *Illam* to the person who has no authority to receive them. He is to be given knowledge of the fact ordinarily; when he gets notice, he would not ordinarily pay; if he pays, he takes the risk.

Mr. Chakko Cheruvattur.—When the matter is taken to a court, he may say that the receipts were granted collusively with the *Anandaravan* subsequent to the notice, even though the amount was given prior to the notice.

President.—The same difficulty will arise in connection with the Nayar Regulation also—the *Karanavan* receiving the income on behalf of the *tarawad* and all that.

Mr. Chakko Cheruvattur.—But there is this difference in the case of Nambudiries. All of them are Jenmies, and most of them collect their rents, etc., through their agents. In the case of Nayar *tarwads*, most of them are not Jenmies, and even those Jenmies collect *michavaram*, etc., directly and give receipts themselves.

Mr. V. K. Kochunni Menon.—Suppose there is nothing to be collected?

President.—He simply explains the word; "management" includes the collection of *pattam*, *michavaram*, renewal fees, interest due to the *Illam* on any debt and such other recurring income on any account.

Mr. V. K. Kochunni Menon.—The payment of debt will not also form payment of money to an outsider. Further, it is

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very difficult to explain the word "management". So many things have to be done in connection with management.

പ്രസിഡണ്ട്.—മിസ്റ്റർ ശങ്കരൻനമ്പൂതിരിയുടെ അഭിപ്രായമായിപറയുകയാണ്. ഇപ്പോഴത്തെ മൂന്നാംവകുപ്പിനെ രണ്ടു ഖണ്ഡമായി മാറ്റിച്ചു് ഇപ്പോഴത്തെ മാറ്റം ആദ്യഖണ്ഡമായും അതിന്റെ സബ്ക്ലാസായി മാനേജ്മെണ്ട് എന്നതിൽ പാട്ടം പിരിക്കുക, മിച്ചവാരം പിരിക്കുക, പൊളിച്ചെഴുത്തുവകാശം വസൂലാക്കുക, ഇല്ലത്തുനിന്നും കടംകൊടുത്തിട്ടുണ്ടെങ്കിൽ വലിശ വാങ്ങുക മുതലായവ ഉൾപ്പെട്ടതെന്നും ഒരു വകുപ്പു ചേർക്കുന്നതിനു് മിസ്റ്റർ ചാക്കോ അഭിപ്രായപ്പെടുന്നു.

മിസ്റ്റർ ചാക്കോ പെറുമാത്തൂർ.—അതിന്റെ ഉദ്ദേശംകൂടി പറയാം. ഈ റെഗുലേഷനിൽ കാരണവന്മാരുടെ അധികാരങ്ങളെ ക്ലിപ്തപ്പെടുത്തുകയും കുറയ്ക്കുകയും ചെയ്യുന്ന പലഭാഗങ്ങളും ഉണ്ടു്. വസ്തുക്കളെ പണയപ്പെടുത്തുകയോ തീറെഴുതുകയോ ചെയ്യുന്നതിൽ എല്ലാവരും പേരാതെ കാരണവർക്കു് തനിച്ചു പാടില്ലെന്നു പറയുന്നുണ്ടു്. ആ ഖണ്ഡത്തിക്കും മിച്ചവാരം പൊളിച്ചെഴുത്തു മുതലായതു് ഭൂമിയിന്മേൽ മാത്രമുള്ള കടങ്ങൾ വ്യവഹാരത്തിൽ കലാശിക്കാനാണെങ്കിലും. കാരണവൻ മാത്രം കൊടുത്താൽ പോരെന്നാണു് പറയുന്നതു്. റെഗുലേഷന്റെ വകുപ്പു് അനുസരിച്ചു നോക്കുമ്പോൾ ഭൂമിയിന്മേൽ പണയപ്പെടുത്തുള്ള കടം മുഴുവനും വെച്ചു് കൊടുക്കുന്നതിനും കാരണവനു് അധികാരം ഇല്ലെന്നുവരുന്നേക്കും. അതിനാൽ ഇന്നതെല്ലാം കാരണവന്റെ അധികാരത്തിൽ പെട്ടതെന്നു പറയുന്നതു് നന്നായിരിക്കും. ജനങ്ങൾക്കു് അതറിഞ്ഞു് പ്രവൃത്തിക്കാൻ സൌകര്യവും ഉണ്ടാകും. വ്യവഹാരത്തിനു് വഴിയും ഉണ്ടാകയില്ല.

പ്രസിഡണ്ട്.—മിസ്റ്റർ ചാക്കോ പറയുന്നതു് പുരുഷയുള്ള ആളുകളുടെ രക്ഷക്കായിട്ടാണു്.

മിസ്റ്റർ സി. എ. കുഞ്ഞുണ്ണിരാജാ.—ഇപ്പോൾ കിട്ടിയ നികുതിയും മിച്ചവാരവും എടുത്തിട്ടു് ഒരു അനന്തിരവനും കാരണവനും തമ്മിൽ വഴക്കായാൽവലിയ കഴപ്പം ഉണ്ടാകും. അതുകൊണ്ടു് ഇങ്ങിനെ ഒരു വിവരണം ചേർക്കുന്നതു് ശരിയായിരിക്കയില്ല.

4-ാം വകുപ്പു് രണ്ടാം വരിയിൽ "account of" എന്നതിനു ശേഷം "shall be liable to account for" എന്നു ചേർക്കണം. ഈ വകുപ്പു് നായർ റെഗുലേഷനിൽ നിന്നും എടുത്തു ചേർത്തതാണു്. നായർ റെഗുലേഷനിലെ ഈവകുപ്പിനെ അടിസ്ഥാനപ്പെടുത്തി ഈയിടെ ചീഫ്കോടതിയിൽ ഒരു വിധി ഉണ്ടായിട്ടുണ്ടു്. "കണക്കു വയ്പ്പാനാണെന്നു് അതിൽ പറയുന്നുള്ളു. കണക്കു പറയുന്നതുമതലല്ല" എന്നാണു് ആ വിധി. ഈ റിപ്പോർട്ടു് എഴുതിക്കഴിഞ്ഞതിനു ശേഷമാണു് ആ വിധി ഉണ്ടായിട്ടുള്ളതു്. അതുകൊണ്ടു് മാറ്റം ചെയ്യാൻ സാധിച്ചില്ല. അതിനാൽ അതിനെ ക്ലിപ്തപ്പെടുത്താനായിട്ടാണു് ഞാൻ ഈ ഭേദഗതി കൊണ്ടുവരുന്നതു്.

Mr. A. Sankara Puduval.—On a point of order. The amendment has not been seconded.

President.—Are you seconding the amendment, Mr. Ambooken?

Mr. I. E. Ambooken.—Sir, I beg to second it.

President.—Now, I shall put the first amendment to the votes.

The first amendment was put to votes and lost.

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President.—The other amendment of Mr. Chakko is to add a new sub-clause to clause 3. But when the explanation to the first sub-clause is gone, this amendment does not arise. Further, the second amendment is lost for want of a seconder.

The motion that clause 3 as it is shall form part of the Bill was put to votes and carried.

President.—"The *Karanavan* or the manager for the time being shall keep a true and correct account of the income and expenditure of the *Illam* as well as of the Devaswams, if any, over which the *Illam* has Uraimaship. Such account shall be made available for inspection in the family house by the major members of the *Illam*, at least once a year, and copies of the same shall be furnished to any of them on payment of the requisite charges."

Mr. A. Sankara Puduval.—I wish to move an amendment to clause 4. In line 4, add after the word "has" and before the word "Uraimaship" the word "sole".

President.—But we have referred to Devaswams in a previous motion.

Mr. A. Sankara Puduval.—That does not affect it.

Mr. V. K. Kochunni Menon.—Sir, I second it.

Mr. C. A. Kunjunni Raja.—Sir, I too have an amendment to this clause.

President.—Is it in connection with this that you are speaking, or is it another amendment?

Mr. C. A. Kunjunni Raja.—It is another amendment.

President.—Does your amendment come before Mr. Sankara Puduval's amendment or after it?

Mr. C. A. Kunjunni Raja.—My amendment comes before my Hon'ble friend's amendment. So, Sir, I shall now move the amendment. In line 2 after the words "account of" and before the words the "income" insert the words "shall be liable to account for".

Mr. N. Padmanabha Menon.—Sir, I beg to second it.

President.—I think it is necessary.

Mr. V. K. Kochunni Menon.—I too think it is necessary.

Mr. K. Achyuta Menon.—I support the amendment of the Hon'ble Member for Jenmies. The Bill, as it is, does not give the right of suit by the *Anandaravan* even if he spends money for purposes which are not for the family. I think this amendment, if given effect to, gives them the right of suit.

പ്രസിഡന്റ്.—മിസ്റ്റർ ശങ്കരൻ നമ്പൂതിരിക്ക് മനസ്സിലായോ? ഈവക കൂടിൽ കണക്ക വെയ്ക്കണമെന്നതായോ ഉള്ളൂ. അതുപോരാ, കണക്കുവെയ്ക്കുന്നതി

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നമ്പൂരിമാരെ കണക്കു പാരായണം ചെയ്യുന്ന ഉത്തരവാദം ഇടതി കാരണവർക്കുണ്ട് എന്നാണ് ഭേദഗതി.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—മനസ്സിലായി. ഞാൻ മിസ്റ്റർ കുഞ്ഞുണ്ണിരാജാകൊണ്ടുവന്ന ഭേദഗതിയെ പിന്താങ്ങുന്നുണ്ട്.

The amendment moved by Mr. C. A. Kunjunni Raja was put to votes and carried.

The amendment of Mr. A. Sankara Puduval was put to votes and carried.

Mr. A. Eachara Menon.—I beg to move the following amendment.—In line 6, add, after the words "and", and before the words "copies", the word "certified".

Mr. A. Sankara Puduval.—I may point out here that, in the Malayalam translation, we find the words "സർവകട്ട്". So I think this amendment is desirable, for we find a reference to this also in the Malayalam translation of the Bill.

President.—You mean that the *Karanavan* must certify that it is a correct copy. Books may be available for inspection to the *Anandaravans* under the Regulation, and they themselves may take copies. So I think this question does not arise.

Dr. A. G. Menon.—Some *Karanavans* may not be willing to hand over the books to the *Anandaravans*; because they may tamper with them.

President.—The law allows the *Karanavan* to have complete control over the accounts; he is to render certified copies. That is what is meant by this amendment. Is there any ambiguity in the word "certified"?

Mr. V. K. Kochunni Menon.—I do not think that the amendment is necessary.

Mr. A. Eachara Menon.—If you think that there is any ambiguity in the word "certified", I request I may be allowed to change the word and move another amendment as follows. In line 6, after the words "same", and before the words "shall be", add the words "signed by the *Karanavan*".

Dr. A. G. Menon.—I think "signed by the *Karanavan*" would be better.

President.—The word "certified" is a court term. I think, if we put it as "signed by the *Karanavan* or the manager for the time being" would be much better.

Mr. V. K. Kochunni Menon.—I too think so; for there are provisions here to the effect that the *Karanavan* has power to appoint a manager.

Dr. A. G. Menon.—On a point of information. In British Malabar and Travancor many *Illams* have properties. ബ്രിട്ടീഷ് മലബാറിലും തിരുവിതാംകൂറിലും വളരെ ഇല്ലങ്ങൾക്ക് വസ്തുക്കൾ ഉണ്ട്. അവയുടെ കണക്ക് എങ്ങിനെയാണ് വെക്കുക?

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Mr. V. K. Kochunni Menon.—For all family properties the *Karanavan* is bound to keep accounts, whether they are in British Malabar or in Travancore.

Dr. A. G. Menon.—That is the point. കൊച്ചിയിലുള്ള നമ്പൂതിരിമാക്കത്തെന്നുവിട്ടിരിക്കുന്നു മലബാറിലും തിരുവിതാംകൂറിലും ധാരികം ഉണ്ട്. അവിടങ്ങളിലെ വസ്തുക്കളുടെ കണക്കുകൾ വയ്ക്കുകയോ പറയുകയോ ചെയ്യാൻ ഒരു നമ്പൂതിരിമരുമക്കത്തായക്കാരിൽക്കിൽ അതു ചെയ്യിക്കുന്നതിനുള്ളടി വല്ല വഴിയും ഉണ്ടോ എന്നു നമുക്കു് ആലോചിക്കേണ്ടേ?

ഡ്രസിഡെണ്ട്.—ആ വകുപ്പു പാസ്സായിക്കഴിഞ്ഞുപോയല്ലോ.

ഡാക്ടർ എ. ജി. മേനോൻ.—പാസ്സായതിനു തരക്കേടില്ല. ഒരു ആലോചനയ്ക്കായി പറഞ്ഞു എന്നേ ഉള്ളൂ.

മിസ്റ്റർ കെ. അച്യുതമേനോൻ.—ഒരു സമയം നമ്മുടെ ഈ ബില്ലു് അവിടെയുള്ള വസ്തുക്കളെ ബാധിക്കയില്ലെന്നിരുന്നാൽതന്നെയും, അതിനു് നമ്മുടെ കൌൺസിൽ വിചാരിച്ചാൽ ഒന്നും ചെയ്യാൻ സാധിക്കുകയില്ല.

Mr. N. Padmanabha Menon.—Sir, I beg to second the amendment.

The amendment proposed by Mr. A. Eachara Menon was put to votes and carried.

The motion that clause (4) as amended shall form part of the Bill was put to votes and carried.

President.—"The *Karanavan* or the manager for the time being shall maintain a true and correct inventory of all movables belonging to the *Illam*, and it shall be open to inspection by the *Anandaravans* thereof once a year, and copies of the same shall be given to any of them on payment of the requisite charges."

How could you get over the difficulty here? As it is, he is to produce the movables and immovables for inspection. But is it the inventory that is to be produced for inspection?

Mr. V. K. Kochunni Menon.—It is the inventory to be produced for inspection. That is what is meant by this.

President.—If the inventory is not given to them during inspection, they will not be able to verify the stock. Further, the *Anandaravans* should have a chance of verifying the stock. Is there any provision made? Let it be taken that the inventory is correct. Nobody knows whether the articles corresponding to those mentioned in the inventory are in the family or not. Should there not be a check?

Mr. V. K. Kochunni Menon.—In that case, the *Karanavan* will have to keep all the cash with him, for the *Anandaravans* may want to inspect those things also. Is the *Karanavan* bound to keep all the cash with him? No. So a certain amount of trust will have to be placed on the *Karanavan*.

President.—Suppose the items mentioned in the inventory are not in the *Illam*, what is the remedy?

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Mr. V. K. Kochunni Menon.—The *Karanavan* is liable to prosecution, if he does not keep a correct inventory.

President.—Should not an opportunity be given to the members of the family to inspect the properties—at least the movables—once in a year ?

Mr. K. Achyuta Menon.—Should not the members of the family be given an opportunity once a year to inspect the family jewels at least ?

President.—Which is it that is open to inspection—the inventory or the movables? I think it is the inventory, according to correct grammar. "It" clearly has reference to the inventory. Should there not be an inspection of the movables? I am only putting forward a suggestion. Should there not be a check or inspection, or whatever it be, on the valuable jewels and vessels of the *Illam*? They are in some cases very valuable things, and these are things, when there is a change of *Karanavans* in an *Illam*, you find missing in the family.

Mr. A. Eachara Menon.—So I think that an inspection of movables at least once a year is necessary.

Mr. N. Padmanabha Menon.—I think it will make matters complicated, if an *Anandaravan* is given the right to inspect the movables. Some of the movables might have been temporarily lent to others. An *Anandaravan* may challenge that the inventory is not correct. They will have to go to a Civil Court, and these matters are seldom remedied by litigation in a Court. Further, this will be giving an opportunity to the *Anandaravans* to begin a fight with the *Karanavan*. The *Anandaravans* can say that these articles were tampered with, and only a Civil Court will be able to decide one way or other.

President.—You must understand that any person can manage to go to a Court, if he has the mind to go to a Court. So many go to Court for the sake of going to the Court. The question is whether he will succeed or not. If I want to drag you to a Court, I can do so even though I have no honest case against you. For anything I can drag you to a Court. I may not be able to satisfy my charge for taking a man to the Court. My point is not whether you will succeed or not; that is another question.

Mr. N. Padmanabha Menon.—If members of the *Illam* are allowed to inspect the movables, they may say that the inventory is not correct.

President.—If the members are given an opportunity to inspect these things, they could find out whether the *Karanavan* is mismanaging. So, by this arrangement, the *Karanavan's* mismanaging, if any, may be remedied.

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Mr. N. Padmanabha Menon.—The *Karanavan* is bound to keep a correct inventory, and is liable to prosecution, if it is not correct.

President.—My point is, if they are liable for inspection once a year, the *Karanavan* will be very careful not to mismanage.

Mr. N. Padmanabha Menon.—Even now he is liable to account for them, and even if they are to be inspected by the *Anandaravan's*, that will not be a powerful guarantee. There is the *Karanavan's* legal liability to account for all the movables. A *Karanavan* cannot fail to account for all those movables, if they are in his possession.

President.—I only suggested that, by allowing the members to inspect the movables, the properties of the estate will be carefully managed by the *Karanavan*.

Mr. N. Padmanabha Menon.—We cannot supply that remedy here.

President.—The question is whether we can allow them an opportunity to inspect. The chances of the *Karanavan* mismanaging these things should be removed.

Mr. C. Achyuta Menon.—There is provision for that.

Mr. N. Padmanabha Menon.—The *Karanavan* is liable to account.

President.—He is liable no doubt. His tendency to remove or misappropriate them will be considerably minimised, if there is a provision that these are to be inspected by *Anandaravans* once a year.

Mr. N. Padmanabha Menon.—The liability to render an account of them is the best guarantee for keeping them in safe custody. His liability to show them to the *Anandaravans* will be a less powerful guarantee. There is the legal liability of the *Karanavan* to account for all these movables that are in his possession.

Mr. A. Sankara Puduval.—Clause 15 will deal with this case.

Mr. A. Eachara Menon.—Clause 5, line 4. Here also we must have an amendment. After "copies of the same" I beg to move to add "signed by the *Karanavan* or the manager for the time being".

The question of adding "signed by the *Karanavan* or the manager for the time being" in line 4 of clause 5 was put to votes and passed. The motion that clause 5 as amended shall form part of the Biil was put and adopted.

President.—We will now consider clause 6. You said something about pledging. There is nothing about discharging—

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redemption of pledge. That is to take by way of *munpattam* or give discharges of mortgages with or without possession.

Mr. N. Padmanabha Menon.—Mortgages or pledges.

President.—I thought the word "pledging" referred to movable property.

Mr. T. A. Ramachandra Ayyar.—I have got an amendment in section 6.

President.—Mr. Ramachandra Ayyar's amendment is this. ആറാം വകുപ്പിൽ "സാധിക്കുന്നടത്തോളം" എന്നതു് എടുത്തുകളയണമെന്നും, "മേജർ അംഗങ്ങളുടേയും" എന്നതിനുശേഷം "മൈനരുമാക്കുവേണ്ട രക്ഷകത്താക്കന്മാരുടേയും" എന്നു കൂടി ചേർക്കണമെന്നാണു് ഭേദഗതി. The words "wherever possible" after "except with the written consent of all the major members of the *Illam*" must be deleted.

Mr. K. Achyuta Menon.—If it is deleted, it is difficult to carry on transactions.

Mr. V. K. Kochunni Menon.—Minor members can still question.

President.—Do you think it necessary to include minors also? It is open to the minor to come and question.

Mr. V. K. Kochunni Menon.—He will be able. "സാധിക്കുന്നടത്തോളം" എന്നവാക്കു് എടുത്തുകളഞ്ഞാൽ കാര്യം എത്രത്തോളം നടപ്പിൽ വരുമെന്നു കണ്ടതന്നെ അറിയേണ്ടിയിരിക്കുന്നു. ഒരു പോലെ എല്ലാവരുടേയും സമ്മതമറിഞ്ഞു ചെയ്യാൻ എപ്പോഴും സാധിച്ചുകൊള്ളുകയില്ല എന്നതു് നീച്ചയാണു്. അതിനെ അടിസ്ഥാനമാക്കിയാകുന്നു ഈ വാക്കു ചേർത്തിട്ടുള്ളതു തന്നെയും.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—അതു എടുത്തുകളഞ്ഞാൽ കാര്യങ്ങൾ നടത്താൻ സാധ്യമല്ലാതെ വരും. ഇപ്പറയുള്ള വകുപ്പുകൊണ്ടു അതിനു് രക്ഷ കിട്ടുകയും ചെയ്യും.

President.—Do you think it necessary to move the amendment, Mr. Ramachandra Ayyar?

മിസ്റ്റർ ടി. എ. രാമചന്ദ്രയ്യർ.—ഞാൻ അതിനെ പിൻവലിച്ചിരിക്കുന്നു.

President.—What is your amendment, Mr. Krishna Menon?

Mr. K. Krishna Menon.—The amendment is to delete the words "or without".

President.—In line 8, omit the words "or without". What is your point?

Mr. K. Krishna Menon.—My object is to enable the *Karanavan* to give discharges on simple mortgages without obtaining the consent of all. I know the same provision occurs in the Nayar Regulation also. A mortgagor makes ready his amount and asks the *Karanavan* to give him a discharge.

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The *Anandaravans* may be in different places. He has to get the consent of all. One refractory member may not be willing. All this will cause delay, and the *Illam* will lose interest in the meanwhile.

President.—Why do you want the consent of all to give a discharge with possession?

Mr. K. Krishna Menon.—There will be other questions to be considered. There may be improvements made, and he may have to get compensation. In the case of money debts a *Karanavan* is allowed to give discharges for any large amount. So it is unreasonable, if he is not allowed to give discharges, on simple mortgages of even 200 or 300 rupees. The retention of this provision may induce some *Karanavans* to invest money without proper security. In the Nayar Regulation such a provision is existing.

As a matter of fact, a lot of difficulty is experienced in practical working.

President.—Anybody supporting Mr. Krishna Menon's amendment? Nobody supports.

The amendment was put and lost.

President.—Then, with regard to the other question with regard to pledging. Since we have stated in the former part of clause 6 that it has reference to movables, you require the consent of all for redemption. For even petty things, the consent of all is necessary. Suppose a *Karanavan* wants to raise a loan of Rs. 200 by pledging ornaments. Certainly all will have to join. Any other amendment in connection with clause 6?

Mr. A. Eachara Menon.—Is *michavaram* included in *pattam*, Sir?

Mr. V. K. Kochunni Menon.—Intended to be, but not there.

Mr. K. Achyuta Menon.—The word "*michavaram*" should be added to make it clearer. Then, here is the fixing of a limit.

Mr. C. A. Kunjunni Raja.—What is the amendment that is proposed?

President.—A limit is fixed.

Mr. K. Achyuta Menon.—I have nothing to say.

President.—Let us now agree that the amount need not be limited.

Dr. A. G. Menon.—I second it.

President.—There is also an amendment from Mr. Ittiravi Nambudiri. Clause 6, line 7. For the expression "one year" substitute "two years"

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മിസ്റ്റർ സി. എൻ. ഇട്ടിരവി നമ്പൂതിരി.—"ഒരു കൊല്ലത്തെ പാട്ടത്തിലധികം മുപ്പാട്ടം വാങ്ങുകയോ" എന്നതിൽ "രണ്ടു കൊല്ലത്തിലധികം കവിയാത്ത" എന്നാക്കണം. അല്ലെങ്കിൽ പാട്ടം കിട്ടുകയില്ലെന്നവരും. സാധാരണ ഒരു കൊല്ലത്തെ പാട്ടത്തിനു കൊടുത്താലും അതു വാങ്ങുന്നതിനു വ്യവഹാരം കൊടുത്തുവരുമ്പോൾ കൊല്ലം മൂന്നാകാറുണ്ട്. ഇപ്പോൾ ഒരു കൊല്ലത്തിലധികം മുപ്പാട്ടം വാങ്ങാറുണ്ട്.

പ്രസിഡെണ്ട്.—ഒരു കൊല്ലത്തിലധികം മുപ്പാട്ടം വാങ്ങാറുണ്ടോ?

മിസ്റ്റർ സി. എൻ. ഇട്ടിരവി നമ്പൂതിരി.—മൂന്നു കൊല്ലത്തേയ്ക്കും മുപ്പാട്ടം വാങ്ങുന്നുണ്ട്.

ഡാക്ടർ എ. ജി. മേനോൻ.—മിസ്റ്റർ ഇട്ടിരവിനമ്പൂതിരി ഒരു കാരണവനാകയാലും കായ്ങ്കർ നടത്തി പരിചയം ഉള്ളതിനാലും അദ്ദേഹം പറയുന്ന ഈ മാർഗത്തെ നാം എടുക്കേണ്ടതാണ്. അതുകൊണ്ട് ഞാൻ അതിനെ പിന്താങ്ങുന്നു.

പ്രസിഡെണ്ട്.—സെലക്ട് കമ്മിറ്റിയിൽ ആ കായ്യം പ്രസ്താവിച്ചുവോ?

മിസ്റ്റർ സി. എൻ. ഇട്ടിരവി നമ്പൂതിരി.—ഇല്ല. പൊതുവെ മുതൽ നശിപ്പിക്കരുതെന്നാണ് ഈ വകുപ്പിന്റെ ഉദ്ദേശം. അവനവന്റെ സ്വകായ്യസ്വത്ത് നശിപ്പിച്ചാലും തരക്കേടില്ല. ഇതു തറവാട്ടു മുതലാണ്.

പ്രസിഡെണ്ട്.—ഇതു ഭേദഗതിയായി അവതരിപ്പിക്കുന്നുണ്ടോ?

മിസ്റ്റർ സി. എൻ. ഇട്ടിരവി നമ്പൂതിരി.—ഉവ്വ്. "ഒരു കൊല്ലം" എന്നുള്ളതിനെ രണ്ടു കൊല്ലമായി" മാറ്റണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

ഡാക്ടർ എ. ജി. മേനോൻ.—മിസ്റ്റർ ഇട്ടിരവി നമ്പൂതിരി കായ്ങ്കർ നടത്തി അതിന്റെ ബുദ്ധിമുട്ട് അനുഭവിച്ചറിഞ്ഞിട്ടുള്ള ഒരാളാകയാൽ ഇദ്ദേഹം കൊണ്ടുവരുന്ന ഈ ഭേദഗതിയെ ഞാൻ പിന്താങ്ങുന്നു.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഞാൻ ഈ ഭേദഗതിയോട് യോജിക്കുന്നു.

മിസ്റ്റർ കെ. അച്യുതമേനോൻ.—എല്ലാവരും മിസ്റ്റർ ചേലൂർ നമ്പൂതിരിയെപ്പോലുള്ള മനസ്ഥിതി ഉള്ളവരായിരുന്നാൽ വിരോധമില്ലായിരിക്കാം. എന്നാൽ രണ്ടല്ല, ആറു കൊല്ലമെന്നും വേണമെങ്കിൽ ആക്കാമായിരുന്നു. പക്ഷെ എല്ലാവരും അദ്ദേഹത്തെപ്പോലെയുള്ളവരായിരിക്കയില്ല. അതുകൊണ്ടും പലരും പലവിധത്തിലുള്ളവരായിരിക്കും. അതുകൊണ്ട് ഈ ഭേദഗതി ബില്ലിൽ വരുത്തുന്നതു യുക്തമായിരിക്കയില്ല.

മിസ്റ്റർ സി. എ. ജോസഫ്.—രണ്ടുകൊല്ലമെന്നാക്കിയാൽ പോലും പാട്ടക്കാരെകിട്ടുകയില്ല.

മിസ്റ്റർ കെ. അച്യുതമേനോൻ.—രണ്ടുകൊല്ലമെന്നോ മൂന്നുകൊല്ലമെന്നോ ആക്കിയാൽ ജാമ്യക്കാരനാൽ മതിയെന്നു പറഞ്ഞാലും പാട്ടത്തിനു വാങ്ങാൻ ആളുണ്ടാകയില്ല. പിന്നെ ഒക്കുംതരുന്ന കായ്ങ്കരെപ്പറ്റി ആലോചിക്കയും വേണ്ട.

പ്രസിഡെണ്ട്.—മിസ്റ്റർ ഇട്ടിരവി നമ്പൂതിരിക്കു നമ്പൂതിരിമാരുടെ കായ്ങ്കളെപ്പറ്റി പ്രത്യേകം അറിവും നിഷ്കർഷയും ഉള്ളതുകൊണ്ട് അങ്ങിനെതന്നെ ആകാം.

മിസ്റ്റർ കെ. ശങ്കരൻനമ്പൂതിരി.—സാധാരണ നടപ്പ് ഒരു കൊല്ലമാണ്.

പ്രസിഡെണ്ട്.—സാധാരണ നടപ്പും കായ്വും വളരെ കണിശമായി നോക്കുന്നവർക്ക് വ്യവഹാരപ്പെട്ടതിനുശേഷം രണ്ടുമൂന്നു കൊല്ലം കഴിഞ്ഞാണ്

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പാട്ടംകിട്ടുന്നതു്. പിന്നെ സാധാരണ നടപ്പു് നിയമത്തിൽ ഏപ്പാട്ട ചെയ്യുന്നതെന്നും കൂട്ടിച്ചേർക്കണം.

മിസ്റ്റർ സി. എൻ. ഇട്ടിരവിനമ്പൂതിരി.—ഇതിൽ മിക്കവാക്കും വിരോധമില്ലായ്കയുള്ളതിനാൽ ഞാൻ ഇതിനെ പിൻവലിച്ചിരിക്കുന്നു.

The question of withdrawing the amendment proposed by was Ittiravi Nambudiri to substitute "two years" for "one year" put to the votes, and the amendment was allowed to be withdrawn.

President.—Mr. Eachara Menon's amendment regarding the last word in the last line of the explanation to clause 6.

Mr. K. Achyuta Menon.—"*Michavaram*" includes the balance of "*pattam.*"

Mr. C. A. Kunjunni Raja.—But "*michavaram*" is included in "*pattam*". It may be *Kanapattam* or *Verumpattam.*

President.—Is it defined in the Tenancy Regulation?

Mr. C. A. Kunjunni Raja.—It is defined. It is altogether for a different purpose.

President.—*Pattom* is payable in money or in kind by the tenant to the landlord on account of the lands held by him. *Michavaram* is necessity minus *Kanam.* When we say *michavaram*, it refers only to *Kanam* holdings. *Kanapattam* is different from *michavaram.*

Mr. C. A. Kunjunni Raja.—The word "*pattam*" was used for *Kanom* demises also.

Mr. Chakko Cheruvattur.—That is a different thing. *pattam* is originally fixed in *Kanam* demises. That is what is called in Malayalam *Thalapattam.* From that reductions are to be made.

President.—The word "rent" may be used in English and in Malayalam "*pattam*" or "*michavaram.*"

Mr. Chakko Cheruvattur.—In the definition of "net income", it is said *pattam* or *michavaram.*

Mr. N. Padmanabha Menon.—The mover has accepted the amendment. He has no objection.

Mr. A. Eachara Menon.—I formally move that, in clause 6, line 3, after "*pattam*" the words "or *michavaram*" may be added.

Mr. A. B. Salem.—Sir, I second it.

The question of adding the words "or *michavaram*" after *pattam* "was put to the votes and was carried." The amended clause was put and agreed to by the House.

The House, then rose for lunch, as it was 2 p. m. The Council re-assembled at 3 p. m., when the Deputy President took the Chair.

President.—We shall resume our work. Is there any amendment with regard to clause 7?

Mr. C. A. Kunjunni Raja.—That clause may be put.

The clause was put and carried.

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President.—Then, clause 8.

The clause was put and carried.

President.—Then, clause 9. Any amendments?

There were no amendments. The clause was put and carried.

President.—Then, clause 10.

Mr. A. Sankara Puduval.—Sir, with your leave, I beg to move an amendment to insert the word "major" between the words "other" and "members" in the second line of the clause.

Mr. C. A. Ouseph.—Sir, I second it.

മസ്റ്റർ കെ.ശങ്കരൻനമ്പൂതിരി.—ഞാൻ അതിനോട് യോജിക്കുന്നു.

The amendment was put to votes and carried.

The question that the clause as amended shall stand part of the Bill was put to votes and carried.

President.—Then, clause 11.

മിസ്റ്റർ ചാക്കോ ചെറുവത്തൂർ.—മേനേജ്മെണ്ട് എന്നു പറയുന്നതിൽ പാട്ടം, മിച്ചവാരം, മുതലായവ പിരിക്കുന്നതു് ഉൾപ്പെടും എന്നാണ് പറയുന്നതു്. ഈ വകുപ്പുകൊണ്ട് ഈ വക ജോലികൾ പോലും അന്യരെ ഏല്പിച്ചുകൂടാ എന്നു വരുമോ. അതു സാദ്ധ്യമാകുമോ? എല്ലാം കാരണവന്മാരേകൊണ്ടു തന്നെ ചെയ്യിക്കണമെന്നു വരുമോ?

പ്രസിഡെണ്ട്.—സ്വകാര്യത്തിൽ മറ്റു വല്ലവരേയും ഏല്പിച്ച് ആ ജോലികൾ ചെയ്യിക്കുന്നതിനു് ഈ വകുപ്പുകൊണ്ടു വിരോധമുണ്ടാകയില്ല.

മിസ്റ്റർ ചാക്കോ ചെറുവത്തൂർ.—Instead of "powers" "right of management" may be substituted.

Mr. N. Padmanabha Menon.—By this delegation, the delegatee shall not stand in the shoes of the *Karanavan*. The responsible member of the family is the *Karanavan* and not the delegatee.

Mr. C. A. Kunjunni Raja.—That is the only meaning.

Mr. Chakko Cheruvattur.—I do not think it is the only meaning.

Mr. C. A. Ouseph.—It is the powers and not the management that is referred to. That is the difficulty. Several powers form the right of management, of which one is the collection of *michavaram*, and there are other powers also.

President.—We are not authorising another. It will not tantamount to a delegation.

Mr. C. A. Ouseph.—Would it not be better, if the words "delegate his powers" are removed, and we use for the same words, "right of management"?

Mr. C. A. Kunjunni Raja.—That is the meaning of it.

Mr. C. A. Ouseph.—But this may mean something else. If that is acceptable, I shall propose an amendment. I beg to move to substitute "right of management", in place of "powers".

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Mr. C. A. Kunjunni Raja.—Omit "his powers" and substitute "such right".

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഞാൻ അതു് പിന്താങ്ങുന്നു.

The amendment was carried.

The question whether the clause as amended shall stand part of the Bill was put and carried.

President.—Then, clause 12. Any amendment?

Mr. C. A. Ouseph.—As regards 12, I want some explanation with regard to the words "moral incapacity". It is an indefinite proposition, and would lead to a lot of litigation. To what degree a man must be immoral is a thing very difficult to define. I would suggest the word be taken off.

Mr. C. Achyuta Menon.—All the words may be taken off. Incapacity may be left to the courts to decide.

Mr. C. A. Ouseph.—Yes.

Mr. C. Achyuta Menon.—Sir, I move that the words "physically, mentally and morally" be omitted.

Mr. N. Padmanabha Menon.—Sir, I second it.

Mr. A. Sankara Puduval.—Sir, with your leave, I move that, after the word "*Illam*", the rest of the sentence "or that his management has not been conducive to the interests of the *Illam*" may be omitted. What is expected to be achieved will be achieved by the earlier portion.

Mr. N. Padmanabha Menon.—Sir, I second it.

Mr. K. Achyuta Menon.—Sir, I may suggest one more amendment. The word "transacting" may be deleted, and the word "managing" substituted.

Mr. K. S. Rama Ayyar.—One more amendment to clause 12 in consistency with my speech of the other day to encourage the marriage of Nambudiries in their own community. I would wish that, after the word "out-caste" the words "or if he marries from outside the Nambudiri community" be added. By this amendment, I aim at Nambudiris who are married outside the community not becoming *Karanavans* of the family. I hear many Members laughing over it. Anyhow, let me have my say.

President.—Let me see whether any body has seconded. Our time is limited.

Mr. K. S. Rama Ayyar.—But the matter is very important.

President.—Alright.

Mr. K. S. Rama Ayyar.—By marrying from outside the community he carries away all his love for the family to another family outside the community. If such a man is made the *Karanavan* of the family, it means that the family is ruled by a man

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who has no love left for the family or the members of the family. It is natural that a man who marries carries his love to his wife and children, and if he marries outside the community, he carries his love outside the community. That is why I propose this amendment.

President.—Anybody to second it?

Mr. T. A. Ramachandra Ayyar.—I second it.

മിസ്റ്റർ. കെ. ശങ്കരൻ നമ്പൂതിരി.—ഉച്ചുണ്ണിന്നൂറ മെമ്പറുടെ ഉദ്ദേശത്തെ ഞാൻ ഹാർദ്ദമായി പിന്താങ്ങുന്നു. എന്നാൽ ഇങ്ങിനെ ബില്ലിൽ തന്നെ ഭേദഗതി വരുത്തിയാൽ കാര്യങ്ങളുടെ നടത്തിപ്പിൽ വളരെ ബുദ്ധിമുട്ടുണ്ടാകും.

Mr. A. Sankara Puduval.—Sir, I beg to oppose the amendment. The Hon'ble the mover forgets that Nambudiri females would also be *Karanavans*. Of course, in an *Illam*, Nambudiri females, under the Regulation, can be *Karanavans*, whether there are male members or not. Even in regard to males, this would be repugnant to the other provisions, and there would be no justification for the introduction of this innovation. The Nambudiri community has been marrying from outside their community. This has been their *mamool*. Marriage is a matter of one's own choice, and if a marriage is properly done according to one's own ilkes and dislikes, I do not know why a Nambudiri who is possessed of certain rights by virtue of his birth should be deprived of them.

Mr. N. Padmanabha Menon.—I oppose the amendment. There is no necessity for this. The tendency is to liberalise the question of marriage and not to restrict it. Moreover, practical difficulties must also be taken into consideration. The Nambudiri community has marriage connections with the Royal Family and with many Jenmi families in Malabar, and it would not be quite right to say that, if you go contracting marital relations, either in the Royal Family or with any other Jenmi families, your right of management will be gone.

Moreover, the sense of the community—as we understand it in ordinary parlance as well as in a higher sense—has been made plain in the Select Committee, and that maintains that the Nambudiries have a right, especially, the *Anandaravans*, to marry outside the community. It has been so made out by the conservative section of the Nambudiries in the Select Committee stage. So the sense of the community does not say that, if one marries outside the Nambudiri community, which custom is in keeping with the present day habits one should loose his status in the family.

Mr. A. Sankara Puduval.—The Nayar Regulation legalises such marriages.

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Mr. N. Padmanabha Menon.—These are amendments against the provisions of the Nayar Regulation. I do not, therefore, think that the amendment is right.

Mr. C. A. Ouseph.—I oppose the amendment. As the Member in charge of the Bill appreciates the spirit that has prompted him to bring it, I appreciate the motives. But there are practical difficulties in the way. The strangest part of it is that the seconder of the Bill who wanted the Bill to be thrown out seconded the most revolutionary amendment that has been brought forward. This amendment is to kill the Bill, and to make it unworkable. Therefore, I oppose it.

Dr. A. R. Menon.—I want to make the position clear. This is a matter with which I am not personally concerned. If the majority of the Nambudiries pass such a rule that anybody who goes and marries outside their community should be deprived of his rights, then, I shall certainly oppose it. During the course of our investigations, we came across with not even one person who supported such a view. Everybody saw that for the time being such a grave social change would upset the communities, and, therefore, is totally against it. It is only on the ground that the Nambudiries have been rather against such a change that I am opposed to it.

മിസ്റ്റർ എം. കൃഷ്ണമേനോൻ.—ഒരു ഇപ്പോഴത്തെ നമ്പൂതിരിമാരുണ്ട്. അവർ നമ്പൂരേപരം അന്യസമുദായത്തിൽ വിവാഹവും ചെയ്യുപോയി. അവിടെ സ്ത്രീകളും ഇല്ല. ഈ ദേശഗതി അനുസരിച്ച് നോക്കുമ്പോൾ നമ്പൂതിരിയുടെ ഇപ്പോഴത്തെയ്ക്ക് കാരണവരായി പുരോഗമനം ആളുകളെ കൊണ്ടുവരേണ്ടിയിരിക്കുന്നു. ഇപ്പോൾ മിക്ക നമ്പൂരിമാർക്ക് ഒരുതരം കാഴ്ചസ്ഥനമാരുണ്ട്. ആ കാഴ്ചസ്ഥനമാർക്ക് കാരണവസ്ഥാനം വാങ്ങിക്കൊടുക്കാനുള്ള ഒരു വിദ്യയാണിതെന്നതോന്നുന്നു.

President.—Do you not want to reply, Mr. Rama Ayyar?

Mr. K. S. Rama Ayyar.—No, Sir.

President.—Then, I shall take the amendments one by one. The first amendment is for the deletion of the words "physically, mentally and morally."

It was put to votes and carried. Hence an identical amendment of Dr. A. G. Menon was deemed withdrawn.

President.—The next amendment is for the deletion of the words " or that he habitually mismanages the concerns of the *Illam*".

The amendment was put and carried.

President.—The third amendment is for substituting the word "managing " for " transacting ".

It was put to votes and passed.

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President.—The last and the most important amendment is for adding the words "or if he marries from outside the Nambudiri community".

It was put to votes and lost.

The whole clause as amended was put to votes and carried.

President.—Clause 13. Is there any amendment?

Mr. N. Padmanabha Menon.—The words "physically, mentally or morally" may be omitted.

Mr. C. Achyuta Menon.—The word "retirement" is unnecessary there.

President.—Yes, it is practically redundant.

Mr. N. Padmanabha Menon.—I have one more amendment. The word "man" may be changed into "person".

Mr. C. Achyuta Menon.—Sir, I beg to move that the words "retirement" between the words "death" and "renunciation" and the words "physically, mentally or morally" between the words "is" and "incapable" may be omitted, and that the word "man" may be replaced by "person".

Mr. C. A. Ouseph.—Sir, I second it.

President.—The question before the House is that the amendments proposed by Mr. C. Achyuta Menon and seconded by Mr. C. A. Ouseph shall be passed.

The amendments were put to votes and carried.

President.—The question before the House is that clause 13 as amended shall form part of the Bill.

The motion was agreed to.

President.—Clause 14. Any amendment?

Mr. C. A Ouseph.—Sir, I find the words "after giving public notice of the application and hearing all those who are interested, etc.,". Is it compulsory to hear them?

President.—There is nobody to be heard, if they do not appear.

Mr. Chakko Cheruvattur.—"The manager so appointed shall be accountable to the Court under rules framed for the purpose". Accountable to whom?

Mr. C. Achyuta Menon.—He will be accountable to the Court.

Mr. Chakko Cheruvattur.—Is the Court authorised to do that?

Mr. C. Achyuta Menon.—The powers will be defined by the Court; it has full power to do that.

President.—So there is no amendment. The question before the House is whether clause 14 shall stand part of the Bill.

The motion was put to votes and carried.

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President.—Clause 15. Any amendment?

Mr. A. Sankara Puduval.—The words "family estate" may be replaced by "*Illam* property".

Mr. K. Achyuta Menon.—In the marginal note, it is given as "*Illam* property".

Mr. A. Sankara Puduval.—I propose that the words "family estate" may be substituted by the words "*Illam* property".

Mr. N. Padmanabha Menon.—Sir, I second it.

Mr. C. Achyuta Menon.—Suppose the whole section is omitted, will it affect anybody?

Mr. N. Padmanabha Menon.—Yes. It is only under this clause that the *Anandaravan* can seek to remove the *Karanavan*.

President.—The question before the House is that the amendment to substitute "family estate" by "*Illam* property", proposed by Mr. Sankara Puduval and seconded by Mr. Padmanabha Menon, be passed.

The proposal was voted for by the House.

President.—The question before the House is that clause 15 as amended shall stand part of the Bill.

The motion was put to votes and carried.

President.—Clause 16. Any amendment?

Mr. A. Sankara Puduval.—No amendment.

President.—The question before the House is whether clause 16 shall stand part of the Bill.

Clause 16 was put to votes and carried.

President.—Clause 17. Is there any amendment?

Mr. A. Sankara Puduval.—I propose that, between the words "may" and "give", "on the expiry of three months after the giving of a registered notice to the *Karanavan* or manager of his intention to do so" be inserted.

Mr. N. Padmanabha Menon.—Sir, I second it.

Mr. K. S. Rama Ayyar.—By clause 17, we have to provide for more agents for giving a girl in marriage. With all these changes in the system of marriages among the Nambudiries, even now, the girl has no voice in the marriage. I, therefore, am very particular that, instead of creating more agents for disposing of the girls, the voice of the girl in the matter should be taken. I would, therefore, amend clause 17 like this.—"To omit all the words in clause 17 and to insert in their place 'The marriage of a minor shall be void'".

President.—Anybody to second it? None; then, that is lost. The question before the House is that the amendment proposed by Mr. A. Sankara Puduval and seconded by Mr. Padmanabha Menon be passed.

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മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഈ ഭേദഗതിയെ ഞാൻ എതിർക്കുന്നു.

മിസ്റ്റർ ചാക്കോ പൊറവത്തൂർ—തക്കതായ കാരണം കാണിച്ചു് കാരണവൻ എന്തെങ്കിലും മറുപടി നോട്ടീസു് കൊടുത്താൽ കന്യകയുടെ വിവാഹത്തിനു് തടസ്സം നേരിടുകയില്ലേ? അപ്പോൾ എന്താണു് നിവൃത്തി.

മിസ്റ്റർ സി. അച്യുതമേനോൻ.—വല്ല കാരണവും കാണിച്ചാൽ കോടു് അതു് സമ്മതിച്ചു കൊടുക്കയില്ല.

The amendment was put to votes and carried.

President.—The question before the House is whether clause 17, as amended, shall stand part of the Bill.

The clause was put to votes and carried.

President.—Chapter III—Maintenance and Guardianship.

മിസ്റ്റർ സി. എ. കുഞ്ഞുണ്ണിരാജാ.—ഈ വകുപ്പിൽ "good ground" എന്നുള്ള ഭാഗത്തിനു പകരം എടുത്തുകളയണം. നമ്പൂതിരി സമുദായം നന്നാകണമെന്നു് ഈ ബിൽകൊണ്ടു് ഉദ്ദേശിക്കുന്നുണ്ടെങ്കിൽ പുരുഷന്മാർ പോയി താമസിക്കുന്നവർക്കു് എല്ലാവർക്കും ഒരുപോലെ ചിലവിനു് കിട്ടാൻ അവകാശം ഉണ്ടായിരിക്കണം.

മിസ്റ്റർ കെ. അച്യുതമേനോൻ.—ഇപ്പോഴത്തെ സ്ഥിതിക്കു് ഭേദം കൊടുക്കാൻപാടില്ല. അതുകൊണ്ടു് എല്ലാവർക്കും ഒരുപോലെ ചിലവെങ്കിലും കൊടുക്കണമെന്നാക്കിയാൽ കൊള്ളാം.

മിസ്റ്റർ എ. ശങ്കരപ്പുതുവാൾ.—ഈ സെക്ഷൻ ഇപ്രകാരം മാറ്റിയാൽ കൊള്ളാം. "Every member of an *Illam* is entitled to separate maintenance proportionate to the income and status of the *Illam*, unless it be claimed on improper grounds". ഒരാൾ വെറുതെപോയി താമസിക്കുന്നതായാലും അസ്സൽ വരവിൽ ന്യായമായ ഒരു ഓഹരി അയാൾക്കു കൊടുക്കണമെന്നു് ബഹുമനപ്പെട്ട മദ്ധ്യസ്ഥൻ കൈകോട്ടിൽ ഒരു വഴി ഉണ്ടായിട്ടുണ്ടു്. അതു് ഇവിടേയും നിയമമാക്കുന്നതു് നന്നായിരിക്കും. I would amend it by inserting the word "separate" between the word "to" and "maintenance" in line 1 of clause 18 and by adding "unless it be claimed on improper grounds" so that the whole will read "Every member of an *Illam* is entitled to separate maintenance proportionate to the income and status of the *Illam*, unless it be claimed on improper grounds."

Mr. C. A. Ouseph.—But by that we do not get out of the difficulty. How can we know whether the ground is proper or improper? Here again, we have to resort to litigation.

Mr. K. Achyuta Menon.—The whole difficulty will vanish, if we omit "provided he or she shows some good grounds for so living". Now, I suppose none of the other amendments need be pressed.

Mr. A. Sankara Puduval.—I have no objection. I withdraw my amendments.

It was withdrawn with leave.

Mr. C. Achuyta Menon.—Sir, I second the amendment proposed by the Law Member.

President.—Any opposition?

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മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഞാൻ ഇതിനൊട്ടുകൂടിയാണു.

President.—The question before the House is whether the amendment proposed by Mr. K. Achyuta Menon is to be accepted or not.

The question was decided in the affirmative, the majority voting for it.

President.—The question before the House is whether clause 18 as amended shall stand part of the Bill.

The motion was put to votes and carried.

President.—Clause 19. Any amendment? "The rate of maintenance allowable to a member living outside the family residence shall not be more than his or her proportionate share in 75 per cent of the net income of the *Illam*. This amount is not attachable in execution of any decree."

Mr. C. A. Kunjunni Raja.—Sir, may I move an amendment to clause 19?

President.—Yes.

Mr. C. A. Kunjunni Raja.—I beg to move that, in line 3, the words "75 per cent" be deleted, and that in their place be substituted the words "two-thirds".

ഈ വകുപ്പിൽ "75 ശതമാനം" എന്നുള്ളതു് വളരെ അധികമാണെന്നു് വലകാരണവന്മാരും എന്നോടു പറഞ്ഞിട്ടുണ്ടു്. 70 എന്നാക്കിയാൽ വിരോധമില്ല. കാരണം എന്തെന്നാൽവെച്ചാൽ ചിലവിനു 10 ശതമാനം വേണ്ടിവരും. 5 ശതമാനം കാരണവർക്കും പോയി. പിന്നെ ചില വഴിവാടു് അടിയന്തിരം മുതലായവ ഉണ്ടാകും. അതിനു് 15 ശതമാനം കരുതുക. ബാക്കി 70 ശതമാനമെന്നായാൽ മതിയെന്നാണു് ഭേദഗതി.

മിസ്റ്റർ ടി. എ. രാമലിങ്ഗയ്യർ.—"Two-thirds" എന്നാക്കിയാൽ കൊള്ളാം.

മിസ്റ്റർ സി. എ. മൊസേപ്പു്.—എനിക്കു് ഒരു സംശയം തീർക്കാനുണ്ടു്. "Net income" എന്നു പറയുന്നതു് പിരിഞ്ഞുകിട്ടിയതൊ കിട്ടാനുള്ളതുംകൂടിയൊ?

പ്രസിഡണ്ടു്.—പിരിഞ്ഞുകിട്ടിയതാണു്.

മിസ്റ്റർ സി. എ. മൊസേപ്പു്.—"Net realised income" എന്നു ഒരു വാക്കുകൂടി ചേർത്താൽ തരക്കേടില്ല.

President.—Does anybody second that proposition?

Mr. C. Achyuta Menon.—Sir, I beg to second it.

Mr. A. Eachara Menon.—Sir, I find in the Malayalam translation of the Bill, that the translation of the words "this amount is not attachable in execution of any decree" towards the end of the clause, is omitted. Sir, may I move an amendment with regard to this?

President.—Yes.

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Mr. A. Eachara Menon.—I beg to move that, in line 4 of this clause, the words "this amount is not attachable in execution of any decree" be deleted.

Mr. Chakko Cheruvattur.—I beg to second the amendment.

Mr. K. Sankaran Nambudiri.—I oppose the motion.

മിസ്റ്റർ എ. ഈച്ചരമേനോൻ.—ബില്ലിന്റെ ഇംഗ്ലീഷ് കോപ്പിയിൽ ചിലവിന് കൊടുക്കുന്ന തുകയെജപ്തി ചെയ്യാൻ പാടില്ലെന്ന് പറയുന്നുണ്ട്. മലയാളം പകർപ്പ് ശരിപ്പകർപ്പാണെന്ന് പറഞ്ഞിട്ടും ഇഭാഗം അതിൽ കാണുന്നില്ല.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഈ വകുപ്പ് നാന്മർ റെഗുലേഷനിൽ നിന്നും എടുത്തിട്ടുള്ളതാണ്. ആ ഭാഗം തർജ്ജമ ചെയ്യാൻ വിട്ടുപോയതാണ്. അതുകൊണ്ട് ഇംഗ്ലീഷിലുള്ളത് തന്നെ സ്വീകരിക്കയല്ലെ നല്ലത്?

മിസ്റ്റർ ചാക്കോ ചെറുവത്തൂർ.—ഒരാൾക്ക് ചിലവിന് പണം കിട്ടിയില്ല. കടം വാങ്ങേണ്ടി വന്നു. ചിലവിന് കൊടുക്കുന്ന പണം ജപ്തി ചെയ്യാൻ പാടില്ലെന്ന വരുമ്പോൾ കടം കൊടുക്കാനും ആരും ഉണ്ടാകയില്ല. ജപ്തി ചെയ്യാൻ വേറെ സ്വത്തും സ്വന്തമായി അവകാശമില്ലല്ലൊ.

മിസ്റ്റർ സി. ഒ. കുഞ്ഞുണ്ണിരാജാ.—കടം ഉള്ള ഒരു അനന്തിരവനു ചിലവിനായി കൊടുത്ത തുക ഒരാൾ ജപ്തി ചെയ്തു കൊണ്ടുപോയാൽ അയാൾ എപ്പോഴും ചിലവിന് ബുദ്ധിമുട്ടിക്കൊണ്ടിരിക്കുകയല്ലൊ?

മിസ്റ്റർ ചാക്കോ ചെറുവത്തൂർ.—അതിനെന്തു ചെയ്യാം. അയാൾ തന്നെയല്ലേ കടം വരുത്തുന്നത്? അതിന്റെ ഫലം അയാൾ അനുഭവിക്കാതെ തരമില്ല.

മിസ്റ്റർ എം. കെ. രാമൻ.—ഭാഗം കൊടുത്തിരുന്നെങ്കിൽ ചിലവിനുള്ള മാസമാസം ജപ്തി ചെയ്യാൻ പാടില്ലെന്ന് വെയ്ക്കാമായിരുന്നു. ഇപ്പോൾ അതില്ലാത്ത സ്ഥിതിക്ക് ഈ ഭേദഗതി നന്നായിരിക്കും.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഈനിയമപ്രകാരം ചിലവിനുള്ള സംഖ്യ കൊല്ലാവസാനത്തിലേ കിട്ടുകയുള്ളു എന്നുണ്ട്. ആ സ്ഥിതിക്ക് കടം വാങ്ങിത്തന്നെ കഴിയേണ്ടിവരും. എങ്കിലും മുൻകൂറായി അതിന് ഒരുമ്പെട്ടുകയുള്ളൂ ഇങ്ങിനെ ഒരു വഴി നാം ഉണ്ടാക്കുന്നതായാൽ കടം വാങ്ങാനും കൊടുക്കാനും ധാരാളം തടസ്സം ഉണ്ടാകും. അതിനു ഇട വരുത്തരുത്. അതുകൊണ്ട് ഈ ഭേദഗതി ബില്ലിൽ ചേർക്കാൻ പാടില്ലാത്തതാണ്. "two-thirds" എന്നകാര്യത്തിലും ഞാൻ യോജിക്കുന്നില്ല. "70" എന്നാക്കാം.

പ്രസിഡെണ്ട്.—ചിലവിന്റെ തുക "two-thirds" എന്ന് തീർച്ചപ്പെടുത്തുന്നതിനുള്ള അഭിപ്രായത്തെ അനുകൂലിക്കുന്നവർ കൈപൊക്കാം.

ഇനി ഒരു അമൻഡ്മെൻറ് കൂടി ഉണ്ട്. അതു ചിലവിനു കൊടുക്കുന്ന വക ജപ്തി ചെയ്യാൻ പാടില്ലെന്നുള്ളതു എടുത്തുകളയണമെന്നാണ്. അതിനോടു യോജിക്കുന്നവർ കൈപൊക്കാം.

Mr. C. A. Kunjunni Raja.—Sir, I beg to move that the words "shall not be more than" in line 2, after "residence" and before "his", be deleted and to substitute in their place the words "shall not be less than". Here the minimum is not fixed; only the maximum is fixed. Here we shall fix it to be whatever be the proportion, 2/3 or 3/4 of the net income.

Mr. T. K. Krishna Menon.—I have a suggestion. Sir, with your leave I beg to move that, in line 2, the words "not"

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after "shall" and before "be" and "more than" after "be" and before "his" be omitted, and that part of the clause would then, read as "shall be his or her proportionate share."

Mr. K. Achyuta Menon.—I beg to move that the word "realised" be put between the words "the" and "net income" in line 3 of the clause. For how can a member of the *Illam* be given his proportionate share of the net income, if the whole has not been realised? Or the *Karanavan* can say that the whole net income has not been realised, when the matter is taken to court by a member for maintenance. The member will have to meet his expenses by borrowing, until the *Karanavan* realises the whole net income.

President.—Shall I put the amendment of Mr. C. A. Kunjunni Raja to votes?

Mr. K. Achyuta Menon.—I beg to second the motion of Mr. T. K. Krishna Menon. I beg that the motion seconded by me may be put to votes first, for, by that amendment, the proportion to be given is fixed.

The President put the motion proposed by Mr. T. K. Krishna Menon to votes, and the motion was carried, Mr. C. A. Kunjunni Raja's amendment to the same part being taken as withdrawn.

The amendment proposed by Mr. C. A. Kunjunni Raja to substitute "two-thirds" for "75 per cent" was put to votes and lost.

Mr. C. A. Kunjunni Raja.—A poll, Sir.

A poll was taken with the following result.

Ayes.	*Noes.*
1. Mr. C. Achyuta Menon	1. Mr. K. Achyuta Menon
2. ,, K. Govinda Menon	2. ,, Chakko Cheruvattur
3. ,, C. N. Ittiravi Nambudiri	3. ,, A Eachara Menon
4. ,, K. P. Karuppan	4. ,, T. K. Krishna Menon
5. ,, K. Krishna Menon	5. Srimati T. Madhavi Amma
6. ,, M. Krishna Menon	6. Mr. C. A. Ouseph
7. ,, P. Kunju Muhammad	7. ,, N. Padmanabha Menon
8. ,, C. A. Kunjunni Raja	8. ,, I. Raman Menon
9. ,, S. F. Nunez	9. Dr. A. R. Menon
10. ,, Sheik Abdul Qadir Sahib Bahadur	10. Mr. A. B. Salem
	11. ,, A. Sankara Puduval
	12. ,, K. Sankaran Nambudiri
	13. ,, A. K. Vengu Ayyar
	14. Diwan Bahadur Dr. V. Verghese

The amendment was declared lost only 10 voting for it and 14 against.

The amendment of Mr. A. Eachara Menon was put to votes and carried.

Mr. A. Eachara Menon.—A poll, Sir.

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The following is the result of the poll.

Ayes.

1. Mr. C. Achyuta Menon
2. ,, K. Achyuta Menon
3. ,, Chakko Cheruvattur
4. ,, A. Eachara Menon
5. ,, K. Govinda Menon
6. ,, K. P. Karuppan
7. ,, K. Krishna Menon
8. ,, M. Krishna Menon
9. ,, T. K. Krishna Menon
10. ,, S. F. Nunez
11. ,, C. A. Ouseph
12. ,, I. Raman Menon
13. ,, Sheik Abdul Qadir Sahib Bahadur
14. ,, A. K. Vengu Ayyar
15. Diwan Bahadur Dr. V. Verghese

Noes.

1. Mr. C. N. Ittiravi Nambudiri
2. ,, C. A. Kunjunni Raja
3. Srimati T. Madhavi Amma
4. Mr. N. Padmanabha Menon
5. ,, K. S. Rama Ayyar
6. Dr. A. R. Menon
7. Mr. A. B. Salem
8. ,, A. Sankara Puduval

The motion that clause 19 as amended shall form part of the Bill was put to votes and carried.

President.—Clause 20.

"In the case of persons residing in the family house, they shall be entitled to claim *menchilavu* in addition to maintenance, and the rate so allowable shall be the proportionate share in fifty per cent of the surplus left, if any, in the net income after meeting the maintenance expenses, and not exceeding Rs. 1,200 per annum".

Mr. C. A. Kunjunni Raja.—I beg to move that, in line 2, the word "*menchilavu*" between the words "claim" and "in" be deleted, and the words "pocket-money" be substituted in its place.

Mr. M. Krishna Menon.—Sir, I beg to second it.

Mr. C. Achyuta Menon.—There is a good deal of confusion in these words "*menchilavu*" and "maintenance". In clause 19, which has been passed just now, we have defined what is meant by "maintenance". It includes everything, for a proportionate share of 75 per cent of the net income is to be given to every member as maintenance. Since we find here both the words "maintenance" and "*menchilavu*", this would give a good lot of confusion.

Dr. A. R. Menon.—Then, why not omit the clause as it is?

Mr. M. Krishna Menon.—To those who live in the *Illam* give them 75 per cent and keep a common hostel.

Mr. C. Achyuta Menon.—We shall put it as pocket-money.

President.—Then, your difficulty is over.

Mr. C. Achyuta Menon.—"Maintenance" means food, etc.

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President.—There will be several expenses besides these, such as education expenses and other expenses, and if there is ample surplus in the family, where is the objection to give pocket-money?

Mr. K. Achyuta Menon.—Even as it is, it has the same meaning, for "*menchilavu*" is given from 50 per cent of the surplus left, if any, and the net income, after meeting the maintenance expenses and not exceeding Rs. 1,200 per annum. So from this we find a distinction between "maintenance" and "*menchilavu*". Even if it is put as it is, it has this meaning; it would come to mean pocket-money.

Mr. C. A. Ouseph.—Is it a division among all the members of the *Illam*?

President.—It is only divided among those who live inside the *Illam*. Those who live outside the *Illam* get a proportional share in 75 per cent of the net income, and so they are not entitled to anything. If they could save anything from what is given to them, it belongs to them. In the case of those who live in the family, the 50 per cent of the surplus after meeting all expenses is divided among them.

Mr. C. A. Ouseph.—So this is to be divided only among those who live in the *Illam*.

Mr. K. Achyuta Menon.—That clause refers only to persons living in the family house. In the case of persons residing in the family house, they shall be entitled; that is what is stated here.

Mr. C. Achyuta Menon.—Why should we not put it as "persons residing in the family house shall be entitled, etc."? I think this would read better.

Mr. S. F. Nunez.—I want to know whether this surplus will be found in all the *Illams*. Then, there is injustice done to those who go outside the family house.

President.—In some *Illams* there may be some surplus. In some cases, there would not be sufficient income even for maintenance. Whatever that be, to those who go outside is also given a proportionate share of the 75 per cent in the net income. Those who live in the family house too get the same proportion. If there is any surplus in the family house, those who live outside also can have a surplus with them.

To those who live outside, the amount given may not be sufficient. In any case, the surplus in the family is the balance after meeting the maintenance expenses of the members in their share of the family net income. So those who go outside cannot have any right over the surplus.

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Mr. S. F. Nunez.—Those who live in the family house would be given pocket-money. So this is injustice done to those who live outside. So I would propose that the whole clause be deleted.

Mr. C. Achyuta Menon.—Sir, I beg to move the following amendments to clause 20. In line 1, omit the words "in the case of" before the word "persons", and then, the word "they" after the word "house" and before the words "shall be", and in lines 2 and 3, omit the words "and the rate so allowable shall be" before the words "the proportionate".

Mr. K. Achyuta Menon.—Sir, I second it.

Mr. C. Achyuta Menon.— I request that the words "*menchilavu*" may be changed to "pocket-money" in the marginal note.

President.—If the words are changed in the clause, the marginal note also will have to be changed. So no amendment is necessary. The words "Any person" may be substituted for "persons", "*menchilavu*" may be omitted and the words "his or her" may also be substituted for "the" before "proportionate".

Mr. T. A. Ramachandra Ayyar.—I had tabled some amendments, Sir. I am not called to move them.

President.—I have not finished with the clause. So you may move your amendments. Is your amendment to clause 20?

Mr. T. A. Ramachandra Ayyar.—It is to clause 19.

President.—That has been passed. You could have moved it then. Now, you cannot move it.

The amendments of Mr. C. Achyuta Menon as amended by the President were put to votes and carried. In the light of this amendment, the amendment of Mr. C. A. Kunjunni Raja was taken as withdrawn.

The motion that clause 20 as amended shall form part of the Bill was put to votes and carried.

President.—Clause 21.

Mr. C. A. Kunjunni Raja.—It is a misconception to say that anybody can give a girl in marriage. There is a fixed order fixing the name of the person religiously competent to perform the *Udakapurvam* ceremony. I shall fix the guardianship in that order. After mother, we shall have brother, then half-brother, then grandfather, then paternal uncle. That is all, and there we will stop. The guardian shall be the father, in the first instance, and in his absence the mother. The mother, of course, has no right to perform that ceremony. If the mother is the guardian, it is the brother who is competent.

Mr. M. Krishna Menon.—The guardianship includes both male and female. So with regard to males the brother will be the man so competent to act. Otherwise, difficulties will arise.

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Mr. C. A. Kunjunni Raja.—So far as the males are concerned, a change in the order of guardianship does not matter. The apprehension was anybody could give a girl in marriage.

That is a mistake. There is a religious ceremony to be performed which can be done by relations in a stated order. We legislate only for the expenses of marriage. So after "grandfathers", and "paternal uncles" we shall have "the *Karanavan*" also.

Mr. C. A. Ouseph.—"Respectively" is not the word.

Mr. C. A. Kunjunni Raja.—"Or the *Karanavan* in order". "Paternal uncles" come as the last. After "half-brother," grandfather, and before "paternal uncles", we shall put "grandmother". I think it is enough, if we stop there. That is after "paternal uncles" in order.

Mr. N. Padmanabha Menon.—I second it.

Mr. A. Eachara Menon.—There may be outcastes. Can they give the girl in marriage?

President.—They have no right. They cannot interfere with customary law.

മിസ്റ്റർ ടി. എ. രാമചന്ദ്രയ്യർ.—കന്യകയുടെ അച്ഛൻ ജീവിച്ചിരിക്കുമ്പോൾ വേറെ ആരെങ്കിലും ഉദകാർപ്പിണം ചെയ്യുന്നതു് വിഘാതമാണു്. ആയതിനു ആക്ഷേപമുണ്ടെങ്കിലും വിവാഹകർമ്മം നടത്തിക്കാമെന്നു പറയുന്നതു് ശരിയാകുമോ?

മിസ്റ്റർ കെ. അച്യുതമേനോൻ.—കല്പിക്കാനും കഴിച്ചുകൊടുക്കാൻ അച്ഛൻ ഉപേക്ഷ വിചാരിച്ചാൽ മറ്റുള്ളവർ ആ കർമ്മം ചെയ്യാൻ പാടുണ്ടോ?

മിസ്റ്റർ ടി. എ. രാമചന്ദ്രയ്യർ.—പാടില്ല. അച്ഛൻ ഇരിക്കുമ്പോൾ മറ്റൊരാൾ ചെയ്യുന്നതു് വിഘാതകരം.

Mr. C. A. Kunjunni Raja.—In the presence of the father I don't think any other is competent to perform that ceremony.

Mr. N. Padmanabha Menon.—The amendment is accepted.

The question of inserting the words "brother, half-brother" between "mother" "and grand-father" and deleting "brother" and "half-brother" in lines 3 and 4 and substituting the words "in order" for the word "or their sons respectively" was put to the votes and was carried. The question whether clause 21 as amended shall form part of the Bill was also put to the votes and was carried.

Clause 22 was put and carried.

President.—Clause 23.

Mr. C. A. Kunjunni Raja.—"In the absence of such heirs the whole of it shall lapse to the *Illam*" should be added.

Mr. N. Padmanabha Menon.—I second it.

Mr. K. Achyuta Menon.—"In the absence of such heirs, the whole property shall lapse to the widow".

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President.—"If there are no members in the *Illam*, the whole property shall go to the wife and children".

Mr. C. A. Kunjunni Raja.—There cannot be a Nambudiri without an *Illam*.

Mr. K. Achyuta Menon.—"The last surviving member having *Sambandham* or having married a Nayar wife and having no heirs, the whole shall go to the wife and children."

Dr. A. R. Menon.—How does it stand now?

Mr. K. Achyuta Menon.—Now, there is no provision. Half will go to the wife and children. With regard to the other half, there is no provision. Naturally, it must go to the Government.

Mr. C. A. Kunjunni Raja.—I have an objection to this amendment.

Mr. K. Achyuta Menon.—Sir, I beg to move the following amendment. "In the absence of any members in the *Illam* the whole shall go to the widow and children".

Mr. M. Krishna Menon.—I beg to second it.

Mr. C. Achyuta Menon.—If the last surviving member is a woman, it will go to the Government.

Mr. C. A. Kunjunni Raja.—I shall move both. So one amendment will do. It may be put.

ടി.ഗ്യൂർ ടി. എ. രാമചന്ദ്രയ്യർ.—"ഒരാളിൻറെ സ്വകാര്യസ്വത്തു മുഴുവനും ഇല്ലാതാകുമ്പോൾ ചേരേണ്ടതാണെന്നു" ചേർത്തുകൊണ്ടു് ഈ വകുപ്പു മുഴുവനും എടുത്തുകളയണം.

Mr. S. F. Nunez.—I have an amendment just opposite to this.

Mr. T. A. Ramachandra Ayyar.—I withdraw.

Mr. S. F. Nunez.—I also withdraw.

Mr. N. Padmanabha Menon.—Both amendments have been withdrawn.

President.—Mr. Raja, your amendment is :—"In the absence of such heirs, the whole of it shall lapse to the *Illam*" Mr. Achyuta Menon's amendment is :—" In the absence of any member in the *Illam*, the whole of it shall go to the wife and children".

Mr. C. A. Kunjunni Raja.—I do not know whether it has been clearly expressed.

Mr. M. Krishna Menon.—"In the case of the last surviving male member"—that will be better.

Mr. C. A. Kunjunni Raja.—We will add the clause "In the case of the last surviving male member, the whole of the property shall lapse to the widow or children."

Mr. K. Achyuta Menon.—There we may take the Nayar Regulation. "In the case of the last surviving male member,

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such widow or children or both shall be entitled to the whole of such property."

Mr. M. Krishna Menon.—Mr. Achyuta Menon proposed, and I seconded it.

The original amendment of Mr. Kunjunni Raja as amended by Mr. K. Achyuta Menon's amendment was put to votes and carried.

The question as to whether clause 23 as amended shall form part of the Bill was put to votes and carried.

President.—Clause 24.

Mr. C. A. Kunjunni Raja.—Sir, I propose to omit the word "unmarried" before "daughters". It you omit the word "unmarried", married daughters will also get a portion of the mother's property. That is the effect.

Mr. C. Achyuta Menon—There is no justification in omitting married daughters.

Mr. K. Achyuta Menon.—So the family property may go to the married as well as unmarried daughters.

Mr. C. A. Kunjunni Raja.—Generally, mothers do not make a difference between married daughters and unmarried daughters.

Mr. C. Achyuta Menon.—And the unmarried daughters can be married, soon after getting the money. I second it.

Mr. A. Eachara Menon.—I have an amendment. After the words "On the death of a Nambudiri female leaving her husband or children or both" omit the words "her husband's *Illam* shall be entitled to one half of" and the words "and the remaining half" in lines 3 to 4. The clause as amended will read thus:—"On the death of a Nambudiri female leaving her husband or children or both, the self-acquired and separate property shall be distributed among her husband, sons and unmarried daughters in equal shares. In the absence of any such heirs the whole of it shall lapse to the husband's *Illam* ".

Mr. C. A. Kunjunni Raja.—I have moved to omit "unmarried."

Dr. A. R. Menon.—I second it, Sir.

Mr. Sheik Abdul Qadir Sahib Bahadur.—Instead of "On the death of a Nambudiri female", why not say "on the death of the wife, the husband"?

The question of passing both the amendments was put to votes, and the amendments were carried.

The question that clause 24 as amended shall form part of the Bill was put to votes and was carried.

President.—Clause 25.

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Mr. C. A. Kunjunni Raja.—I propose to "to omit unmarried" there also. It will read thus:—"between brothers and sisters", instead of "between brothers and unmarried sisters". That is, the word "unmarried" at the end—not in the beginning.

President.—Who seconds it?

Mr. C. Achyuta Menon.—I second it.

The amendment was put and adopted. The question that clause 25 as amended shall form part of the Bill was put to votes and was carried.

President.—Chapter V. Only two more clauses.

Mr. M. Krishna Menon.—That is a controversial question.

Mr. K. S. Rama Ayyar.—Clause 26 shall be amended as follows:—

"The *Stridhanam* obtainable on marriage shall be the self-acquired and separate property of the wife and husband".

Mr. C. A. Kunjunni Raja.—My opinion is that it shall form part of the *Illam* property.

Mr. S. F. Nunez.—Sir, I second it.

President.—Any opposition to it?

Mr. N. Padmanabha Menon.—I oppose it.

Mr. C. A. Kunjunni Raja.—I am in favour of the custom that the *Stridhanam* shall lapse to the *Illam*. The female, after marriage, is given full right in the *Illam*, and she becomes in fact a member of the *Illam*. I think this clause should be retained as it is.

Mr. M. Krishna Menon.—I wish to know whether any Nambudiri ladies were examined in this connection, and what is their view in this matter?

Mr. C. Achyuta Menon.—There is no recorded view.

Srimati T. Madhavi Amma.—They want the Bill to be passed. They are in favour of lapsing it to the family.

Mr. S. F. Nunez.—Sir, the whole purpose of the Bill will be lost, if this clause is to be retained as it is. Because I understand that the Bill, as introduced, is to develop the initiative of Nambudiri men, and if that initiative is to be realised, I am sure, for a start in life, they should have material wealth also. There may be *Illams* whose joint property may not be sufficient.

President.—But they don't want the custom to be affected.

Mr. S. F. Nunez.—In my opinion, this should be qualified.

മിസ്റ്റർ എം. കൃഷ്ണമേനോൻ.—സ്ത്രീധനസംബ്ര ബന്ധപ്പെട്ടവർക്കുമാത്രമായിട്ട് കൊടുക്കണമെ് വിവാഹത്തിനു് മുമ്പ വഴിക്കുടി ആയിരിക്കും.

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മിസ്റ്റർ സി. എ. കുഞ്ഞുണ്ണിരാജ.—സ്ത്രീക്ക് ഇല്ലത്തു നിന്നും ചിലവിന കൊടുക്കണമെന്ന പറയുന്ന സ്ഥിതിക്ക് സ്ത്രീധനസംബ്ധ ഇല്ലത്തിൽ ചേരേണ്ടതല്ലെ?

ശ്രീമതി ടി. മാധവിഅമ്മ.—ഇതുകൂടാതെ തന്നെ വിവാഹത്തിന്റെ പ്രോത്സാഹനത്തിന് വഴി ഉണ്ട്. വിവാഹം ചെയ്യ വേറെ താമസിക്കുന്ന ആകുക്കും മായ്ക്കും മക്കൾക്കും കൂടിയും ചിലവിന കൊടുക്കണമെന്ന പറയുന്നത് അതിനുള്ള പ്രത്യേക തരം പ്രോത്സാഹന മാത്രമാണ് അതിനാൽ സ്ത്രീധനം പ്രത്യേക ഗുണം ഉണ്ടാക്കുമെന്ന് വിചാരിക്കാനില്ല.

പ്രസിഡെണ്ട്.—സ്ത്രീധനം ഇല്ലത്തെയ്ക്കും സ്ത്രീക്കും മനോവിഷം കൂടി വേണമെന്നാണ് മിസ്റ്റർ രാമയ്യർ അഭിപ്രായപ്പെട്ടത്. അതിനോട് യോജിക്കുന്നവർക്ക്, കൈ പൊക്കാം.

The amendment was put to votes and was lost. The question that clause 26 shall form part of the Bill was put to votes and was carried.

Clause 27 was put and passed.

President.—Then, with regard to the preamble, I think nobody will have objection to that.

Mr. K. Achyuta Menon —If no date is given, it will have effect from the date of its publication.

Mr. C. A. Kunjunni Raja.—I propose that it shall come into force at once, i. e., from the date of publication in the Gazette. Under the General Clauses Act, that will be the interpretation.

The amendment was put to votes and was carried.

The preamble as amended was put and carried.

മിസ്റ്റർ കെ. ശങ്കരൻ നമ്പൂതിരി.—ഈ ബിൽ അടുത്ത കൂടുന്ന യോഗത്തിൽ പാസ്സാക്കണമെന്ന് ഞാൻ അഭിപ്രായപ്പെടുന്നു.

Mr. A. B. Salem.—I second it.

പ്രസിഡെണ്ട്.—അടുത്ത മീറ്റിങ്ങിൽ ഈ ബിൽ ആലോചിച്ച് തീർപ്പുചെയ്യണമെന്ന് മിസ്റ്റർ ശങ്കരൻ നമ്പൂതിരി അഭിപ്രായപ്പെടുന്നു. അതിൽ ആർക്കെങ്കിലും ആക്ഷേപം ഉണ്ടോ? ആക്ഷേപം ഇല്ല.

The motion was put and carried.

The President's concluding speech.

President.—We have just been able to get through the Bill. There was so much of other work, but, unfortunately, there was no time to take up other businesses on account of this. I don't wish to make a speech in the place of the President. I have only to inform you that the meeting is adjourned *sine die*, and that, most probably, the next meeting will be in the last week of Meenam. We will now disperse.

The Council adjourned *sine die* at 5 p. m.

T. K. KRISHNA MENON,
Secretary to the Council.

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